

# Merson Law, PLLC

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# Merson Law, PLLC

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April 19, 2024

## **VIA PACER E-FILING**

Hon. Arun Subramanian, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

Re: **Does vs. USVI, 1:23-cv-10301-AS**

Dear Hon. Judge Subramanian:

My firm represents the plaintiffs in this lawsuit. I write concerning service of process in this matter. While we do not agree with complaints by some defendants that service was improper, these defendants were aware of this lawsuit as established by their motions to dismiss and plaintiffs have re-served these defendants in an abundance of caution. Please see attached affidavits of service.

To save the Court and parties time and resources, we have asked the complaining defendants to withdraw their objection to service of process but they have refused.

Plaintiffs therefore seek permission to file a motion to extend the time to serve and/or deem the recent service of process timely *nunc pro tunc*, or such other measure as directed by this Court for this remedied service issue.

We appreciate the Court's attention to, and consideration of, this matter. I can be reached at [jplotkin@mersonlaw.com](mailto:jplotkin@mersonlaw.com) or at (212) 603-9100 if the Court has any questions. I thank the Court for its attention to this matter.

Respectfully submitted,  
MERSON LAW, PLLC

By: /s/Jennifer C. Plotkin  
Jennifer C. Plotkin (JP 2121)  
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*Counsel for Plaintiffs*

*Encl: Aff. Of Service*

Cc: All defense counsel (Via ECF)

The Court will evaluate any arguments related to the sufficiency of service when the motions to dismiss in this case are fully briefed.

If Plaintiffs wish to have the Court extend the time limit for service, they should file a letter showing good cause for their failure to serve within 90 days as required under Federal Rule of Civil Procedure 4(m).

The Clerk of Court is directed to terminate the motion at ECF No. 89.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over the typed name.

Arun Subramanian, U.S.D.J.

Date: April 23, 2024